

GONZALO GUZMAN, ETAL

Plaintiff(s)

- against -

Index # 07 CIV 8064 (LYNCH)

ENERGY KITCHEN, INC., ETAL

Defendant(s)

Purchased September 14, 2007

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BARRY F. GERMAN BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on September 20, 2007 at 01:45 PM at

C/O LEHMAN, NEWMAN & FLYNN
ATTN: SCOTT FLYNN
225 WEST 34TH STREET, STE. 2220
NEW YORK, NY10122

deponent served the within SUMMONS AND COMPLAINT on ENERGY KITCHEN, INC. therein named,

CORPORATION a DOMESTIC corporation by delivering thereat a true copy of each to MATTHEW HOUSEMAN personally, deponent knew said corporation so served to be the corporation described in said SUMMONS AND COMPLAINT as said Defendant and knew said individual to be the GENERAL AGENT thereof.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	BLACK	35	5'10	200

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: September 21, 2007

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Comm. Expires February 10, 2010

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Comm. Expires December 4, 2010

BARRY F. GERMAN
License #: 982866
Invoice #: 448111